

III. REMARKS

Claims 1-20 are pending in this application. Claims 1, 8 and 16 are rejected under 35 USC 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-20 are rejected under 35 USC 101 as allegedly being directed to non-statutory subject matter. Claims 1-6, 8-14, 16-18, and 20 are rejected under 35 USC 102(b) as allegedly being anticipated by Farmer WO 02/39486 (“Farmer”). Claims 7, 15, and 19 are rejected under 35 USC 103(a) as being unpatentable over Farmer in view of Yung et al. (US 6,909,974) (“Yung”). Claims 1, 8, 11-13 and 16 have been amended. Applicant respectfully traverses the 35 USC 102(b) and 35 USC 103(a) rejections for the reasons provided below.

Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the claims in a subsequent patent application that claims priority to the instant application.

A. REJECTION OF CLAIMS 1, 8, and 16 UNDER 35 U.S.C. §112 Second Paragraph

Claims 1, 8 and 16 are rejected under 35 USC 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office alleges the limitation “capable of” does not clearly set forth the metes and bounds of the patent protection desired. Office Action p.2-3.

Without conceding the correctness of the Office’s interpretation, and to facilitate early allowance of the pending claims, claims 1, 8 and 16 have been amended to delete “capable of completing” and recite “configured to execute.” Accordingly, Applicant assert that the bases for the Office’s rejection have been obviated and respectfully request withdrawal of the rejection.

B. REJECTION OF CLAIMS 1- 20 UNDER 35 U.S.C. §101

Claims 1-20 are rejected under 35 USC 101 as allegedly being directed to non-statutory subject matter. Specifically, the Office alleges the limitation “capable of” recited in claims 1, 8 and 16 fails to produce a useful, concrete or tangible result. Office Action p.3-4.

Without conceding the correctness of the Office’s interpretation, and to facilitate early allowance of the pending claims, claims 1, 8 and 16 have been amended to delete “capable of completing” and recite “configured to execute.” Accordingly, Applicants assert that the bases for the Office’s rejection have been obviated and respectfully request withdrawal of the rejection.

C. REJECTION OF CLAIMS 1-6, 8-14, 16-18, and 20 UNDER 35 U.S.C. §102(b)

With regard to the 35 U.S.C. §102(b) rejection over Farmer, Applicant asserts that Farmer does not teach each and every feature of the claimed invention. Applicant submits that Farmer fails to teach each and every feature of claim 1 (and similarly independent claims 8 and 16), as amended.

Claim 1 (and similarly claims 8 and 16), as amended, recites: “a signature matching system for identifying the set of available Web services configured to execute each task, wherein for each task the identifying comprises identifying all Web services in the list of available Web services having at least one of the matching input and output signatures for each task.” Support for this amendment may be found in the specification at page 8, lines 1-3 and 13-14. Farmer does not teach these features.

Applicant does not acquiesce to the Office’s response to arguments. Office Action p.13-15. In support of its allegations that Farmer teaches the features of Applicant’s claims, the Office cites paragraphs 0046, 0048, 0049 and 0057-0059 with specific examples cited at paragraph 0060, 0070, 0071, 0074-0079 and Figure 11.

Farmer states “These service providers inspect the object, and if it finds its type recognizable and sufficient data present, creates appropriate Service objects and passes them to the ClientBus.” Farmer 0049.

Applicant recites, *inter alia* “identifying a set of available Web services” and “selecting a Web service from the list of available Web services for each of a plurality of tasks in the workflow.” Farmer discloses “creates appropriate Service objects.” It is clear Farmer does not teach the features of claim 1 (and similarly claims 8 and 16) as amended.

Therefore, Farmer does not disclose each and every feature of Applicant’s invention. Applicant respectfully requests withdrawal of the rejections.

With regard to the Office’s other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to independent claims listed above. In addition, Applicant submits that all dependant

claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejections.

IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

/David E. Rook/

Date: November 13, 2008

David E. Rook
Reg. No.: 40,790

Hoffman, Warnick LLC
75 State Street, 14th Floor
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)